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TO RUEHC/SECSTATE WASHDC PRIORITY 5058
INFO RUEHBO/AMEMBASSY BOGOTA PRIORITY 6645
RUEHBR/AMEMBASSY BRASILIA PRIORITY 5560
RUEHLP/AMEMBASSY LA PAZ PRIORITY 2104
RUEHPE/AMEMBASSY LIMA PRIORITY 0349
RUEHMU/AMEMBASSY MANAGUA PRIORITY 1289
RUEHME/AMEMBASSY MEXICO PRIORITY 3837
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0754
RUEHQD/AMEMBASSY QUITO PRIORITY 2188
RUEHTC/AMEMBASSY THE HAGUE PRIORITY 1000
RUEHROV/AMEMBASSY VATICAN PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 0291
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C O N F I D E N T I A L CARACAS 001758

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E.O. 12958: DECL: 05/10/2031
TAGS: PGOV PREL KDEM VE
SUBJECT: BRV CONTINUES TO TOY WITH BARUTA MAYOR

REF: CARACAS 1623 AND PREVIOUS

Classified By: Robert Downes, Political Counselor,
for Reason 1.4(b).

SUMMARY

11. (C) Baruta Mayor Henrique Capriles Radonski's trial, scheduled to begin June 9, was postponed for another ten days. Prosecutors allege Capriles incited the uprising that occurred at the Cuban Embassy in Caracas during the April 2002 coup attempt (reflets). The failure of the prosecution to appear for the opening of the trial came amid numerous attempts by Capriles to sensationalize the event. Poloff was present at the trial's postponement and subsequent press conference. Despite our efforts to encourage other diplomatic missions (namely, Europeans and Canadians) to send observers to the trial, none attended. END SUMMARY

12. (C) Poloff went to the Palacio de Justicia on June 9 to attend the opening of the trial of Baruta mayor Henrique Capriles Radonski. The BRV took the precaution of putting 25-30 National Guardsmen in full riot gear at the front entrance, but there were no protesters - either pro- or anti-Capriles - as best we could tell. The trial was eventually postponed until June 19 due to the failure of the prosecutors to appear. Julio Borges, opposition party Primero Justicia member and presidential candidate, told poloff that the prosecutors had misplaced some video tapes related to the trial (Note: when Capriles went to the Cuban Embassy in 2002, he took a film crew with him).

13. (C) Capriles, a charismatic politician who has been in office since 2000, is making efforts to draw attention to the politicized nature of this trial. He currently sports a haircut with the word "Justicia" (justice) shaved into the back of his head. Capriles arrived at the courthouse on June 9 after jogging with a sizable delegation from outlying

barrio Petare to the courthouse - a distance of over fifteen miles. During his "morning jog," Capriles sported a t-shirt reading "La Verdad Vencera" (The Truth Will Win). At a press conference held after the trial's postponement, Capriles lamented that "this is the way justice is misused in Venezuela." The government, he continued, used it like a soccer game, a reference to the widespread belief that the BRV purposely scheduled his trial to correspond with the beginning of the World Cup.

¶4. (C/NF) Poloff spoke with British diplomat Matthew Lewis (protect) on June 7 to encourage attendance at the trial by EU embassy members. He said that the EU Commission left the issue to EU heads of mission. EU Ambassadors in Venezuela decided that "quiet diplomacy" would be a better way of expressing their concern about the case to the BRV. Lewis indicated he was unsure what type of action "quiet diplomacy" would translate into.

¶5. COMMENT: Henrique Capriles Radonski hopes his trial will highlight systemic corruption. The BRV's continued stonewalling is a standard tactic in their efforts to demonize and intimidate opposition and criminalize dissent. Capriles will continue to press the issue. The EU members' decision to opt for invisible, quiet diplomacy instead of accompanying Capriles at the trial is a missed opportunity.

WHITAKER